



Criminal Justice Coordinating Council

Race, Equity, Inclusion, and Access Subcommittee

Meeting Minutes

Thursday, February 6, 2025 // 12:15 p.m. – 1:15 p.m.
Meeting location Virtual (Zoom)

Co-Chairs Justice Rebecca Dallet and Judge Jon Richards

Subcommittee Members Present:	Justice Rebecca Dallet, Ashley Billig, Clerk of Courts Rebecca Matoska-Mentink, Judge Jon Richards, DA Kimberly Lawton, Jennifer Bias, Judge Elliott Levine, Judge Emily Lonergan, Jane Graham-Jennings, Jerome Dillard, Milwaukee City Attorney Evan Goyke, Kelli Thompson, Mary Triggiano
Subcommittee Members Not Present:	Sheriff Tammy Sernard, Chip Nielsen, Judge Carl Ashley, Michael Blauw
DOJ Staff:	Ryan Anderson, Mike Austin, Phil Zell, Katie Snell, Sabrina Gentile, Brittney Felton, Lara Kenny, Kerrie Fanning, Brad Kelly, Mark Rather, Marsha Schiszik
Others:	Ann Olson, Tyler Brandt, Judge Jim Gramling, Susan Lund

Welcome and Opening Comments

Subcommittee Co–Chair Justice Dallet welcomed members to the meeting at 12:15 p.m. Quorum was present.

Approval of Meeting Minutes

Motion to Approve December 5, 2024, REIA Subcommittee Meeting Minutes

Motion was made by Jennifer Bias and seconded by Evan Goyke to approve the December 5, 2024, REIA Subcommittee Meeting Minutes.

The motion passed on a voice vote.

Driver's License Restoration Presentation & Discussion

Judge Jim Gramling and Attorney Susan Lund

Judge Jim Gramling and Attorney Susan Lund presented on how the suspension of driver's licenses is not effective as a method of debt collection for unpaid court fines. Judge Gramling described the issue, saying there are many suspended drivers on the streets, many of whom are not suspended for traffic safety reasons. Instead, they are suspended because they have outstanding court fines.

Some people want to criminalize this, to penalize suspended drivers further, and seize automobiles to force them to pay debts. Judge Gramling is seeking support for change from this subcommittee. Previously, the legislature created a one-year license suspension that can be ordered by courts when people don't pay their fines. This is unnecessary and harmful to people

with financial insecurity and drivers of color in Wisconsin. This suspension method is not because people drive poorly, it's used as a method of debt collection and to create profit. There are better ways to support debt collection, such as through the Wisconsin Department of Revenue, which is more effective and doesn't involve locking people up to enforce court decisions and fine payment.

Susan Lund added that the one-year suspension that courts can order ensnares people who can't pay the forfeiture, and exacerbates the issue further by increasing the debt that people are already unable to pay and results in people getting unnecessarily ensnared in the court system. This is an ineffective tool to collect forfeitures. Susan adds that this is an example of systemic racism. There are studies that show the racial disparities in how this method of debt collection is used more often on people of color.

Half of the United States have eliminated these types of laws for a variety of reasons (e.g. opposed to government waste/bloat, opposed to racial injustice or mass incarceration, etc.) Judge Gramling and Susan Lund believe that this change could be broadly popular in Wisconsin, as it has been in other states. They reiterated that this potential change is important to the entire state and would not undermine traffic safety. They would be happy to provide studies/citations and provide more information.

The presenters provided the following links:

- UW-Madison La Follette School of Public Affairs – “Eliminating Wisconsin’s Driver’s License Suspension Policy for Failure to Pay Forfeitures: A Cost-Benefit Analysis”:
<https://lafollette.wisc.edu/research/eliminating-wisconsins-drivers-license-suspension-policy-for-failure-to-pay-forfeitures-a-cost-benefit-analysis/>
- State of Wisconsin Department of Revenue – State Debt Collection Initiative:
<https://www.revenue.wi.gov/Pages/HTML/debtcoll.aspx>
- Wisconsin Director of State Courts Office study:
<https://www.wicourts.gov/publications/reports/docs/studylegalfinobligation.pdf>
 - Shared in the meeting discussion, this study states, “The data therefore provide no evidence that license suspensions are effective in encouraging repayment in traffic forfeiture cases, and suggest that license suspensions have at best a modest and delayed effect in criminal traffic cases.”

Judge Jon Richards asked if the presenters could explain in more detail why other states are making this change and inquired about which states have done so. Susan Lund responded that, in last five years, many states have just eliminated the law that allows the suspension of driver’s licenses for the purpose of debt collection, or they simply aren’t doing it anymore. She said that suspensions are not happening for non-safety reasons as frequently anymore. She provided a map to show which states are doing this: <https://www.freetodrive.org/maps/>.

Justice Dallet asked if Wisconsin has any in-progress/upcoming legislation on this topic. Judge Gramling responded that there’s an effort to allow people’s cars to get impounded if they are

found to be operating vehicles while suspended. Lund adds that many people equate suspended driving and reckless driving, and she states the easiest way to help citizens differentiate this is to stop suspending people for non-safety-related reasons.

Justice Dallet clarified that when someone doesn't pay their fines/fees by a court-set date, the court can impose a year-long driver's license suspension. Then if the person pays their fines after this, they also must pay an additional \$60 to reinstate their license. If the person goes the year with a suspended license, then they still owe their fines and still must pay to get reinstated. Lund affirmed this statement and reiterated that this is shown to be ineffective at successful debt collection, as it just worsens the issue, causing the individual to be less likely to be able to pay.

Justice Dallet asked how this subcommittee can assist. Judge Gramling answered that legislative support is needed to get this law changed and that they need to advocate to advance this proposal to stop suspending licenses for debt collection purposes. Lund added that if Wisconsin does this, it would be part of a national trend moving in that direction. There are other tools to use for debt collection purposes, and all states should move toward using those instead. A law change would be a more permanent and official solution to this issue. Many people cannot afford to get out of this trap if courts keep ordering warrants and license suspensions due to fines that they already cannot afford.

Justice Dallet asked how long the state debt collection (SDC) agency has existed. Lund responded that the 2009 Wisconsin Act 28 authorized the State Debt Collection (SDC) program. This act allows state agencies to partner with the Department of Revenue (DOR) in collection of debt to enhance current collections operations.

Lund stated that 92% of municipal courts in Wisconsin already have a contract with the SDC agency. If both the SDC and courts are using debt collection methods, it makes it very difficult and confusing for people to pay back their debts. SDC has a provision that if a court sends a debt to SDC, the court is supposed to stop trying to collect the debt, so a set procedure is needed to streamline this process/issue to avoid double efforts and confusion. It should also be noted that states make a profit from programs like SDC because they put an additional small service fee for that debt collection, so it's not perfect, but it would improve the issue.

Justice Dallet and Judge Richards agree that to continue exploring this issue, this subcommittee should form a work group regarding how this subcommittee can contribute to this effort. Judge Gramling and Lund left the meeting for this to be further discussed.

Judge Levine and Rebecca Matoska-Mentink agreed to participate in this working group. Evan Goyke agreed to assist if the group decides on a legislative change is needed. Additional members were suggested by members include Judge Jim Gramling, Milwaukee Municipal Judge Molly Gena, and Carol Koschel from the Office of Judicial Education. Ashley Billig also offered the Bureau of Justice Information and Analysis services for data analysis.

Tyler Brandt noted that this effort will run into an issue with municipal vs circuit courts. Circuit courts are easier, whereas municipal courts can be very tough and problematic to establish/change procedures.

Juror Pay

Judge Richards provided an update that working group members have met with the Director of State Courts to discuss the proposal. The working group will continue to work with stakeholders to build support for the proposal.

Old Business Updates

Updates on the following topics were tabled until the next meeting:

- Guilty Plea Colloquy Process Discussion
- Jury Bias Video Updates & Discussion
- Supreme Court Rule 24-04 Amendment of Ch. 31 re CLE
- Wisconsin Council for the Social Studies Conference

Public Comment

There was no public comment.

Adjourn

Motion to Adjourn the Meeting Approve

Motion was made by Rebecca Matoska-Mentink and seconded by Jerome Dillard to adjourn the meeting.

The motion passed on a voice vote.

The next meeting will be April 3, 2025.

The meeting adjourned at 1:06 p.m.